

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JH KELLY, LLC,  
Plaintiff,  
v.

AECOM TECHNICAL SERVICES, INC.,  
Defendant.

Case No. 4:20-cv-05381-HSG

**ORDER GRANTING MOTION TO  
RELATE AND CONSOLIDATE  
CASES**

Re: Dkt. Nos. 11, 12

JH KELLY, LLC,  
Plaintiff,  
v.  
ED STAUB & SONS PETROLEUM, INC.,  
Defendant.

Case No. 3:20-cv-08463-EMC

Pending before the Court is JH Kelly, LLC, AECOM Technical Services, Inc., Pacific Gas and Electric Company, and Ed Staub & Sons Petroleum, Inc.’s Stipulated Administrative Motion to Relate and Consolidate Cases 4:20-cv-05381-HSG and 3:20-cv-08463-EMC. Dkt. Nos. 11, 12. The Court finds that the actions “concern substantially the same parties, property, transaction, or event,” and that “[i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Civ. L.R. 3-12(a). Accordingly, IT IS HEREBY ORDERED that:

1. Pursuant to Civil L.R. 3-12, the later-filed action *JH Kelly, LLC v. Ed Staub & Sons Petroleum, Inc.*, Case No. 3:20-cv-08463-EMC, is related to the above-captioned case, Case No. 4:20-cv-05381-HSG, and is reassigned to the undersigned for all future proceedings.

2. The parties are instructed that all future filings in any reassigned case are to bear the initials of the newly assigned judge immediately after the case number. Any case management conference in the reassigned case will be rescheduled by the Court. The parties shall adjust the dates for the conference, disclosures and report required by Federal Rules of Civil Procedure 16 and 26 accordingly. Unless otherwise ordered, any dates for hearing noticed motions are vacated and must be re-noticed by the moving party before the newly assigned judge; any deadlines set by the ADR Local Rules remain in effect; and any deadlines established in a case management order continue to govern, except dates for appearance in court, which will be rescheduled by the newly assigned judge.
3. Pursuant to Federal Rule of Civil Procedure 42(a)(2), the case captioned *JH Kelly, LLC v. Ed Staub & Sons Petroleum, Inc.*, 3:20-cv-08463-EMC, is consolidated with the case captioned, *JH Kelly, LLC v. AECOM Technical Services, Inc.*, 4:20-cv-05381-HSG, for all purposes with the undersigned Judge. The earlier-filed civil action, Case No. 4:20-cv-05381-HSG, shall serve as the lead case. The clerk is directed to administratively close the later-filed civil action, Case No. 3:20-cv-08463-EMC. All future filings should be done in the lead case (Case No. 4:20-cv-05381-HSG) only and should be captioned “In Re PG&E Corporation v. AECOM Technical Services, Inc.”
4. The Parties do not waive and expressly reserve their rights under Federal Rule of Civil Procedure 42(b) to request bifurcation or separate trials of any issue(s) or claim(s).
5. The Scheduling Order to be entered by the Court following the Court’s ruling on the proposed case schedule(s) submitted in Case No. 4:20-cv-05381-HSG shall apply to

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all parties in the consolidated action.

**IT IS SO ORDERED.**

Dated: 1/14/2021

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

United States District Court  
Northern District of California